

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Suits – Arbitration – An amount of Rs.1,84,888/- towards depositing in the respective Court to the credit of O.S.No.73/1996 as per the judgment of Hon`ble High Court dated: 13.08.2009 in CRP No.1498/2003 filed by I&CAD Department filed by Sri D.Satyanarayana, Contractor in respect of the work relating to "balance earth work in Execution of Main Canal from M.97-1-000 to M.97-2-2000" – Sanctioned orders Issued.

IRRIGATION AND COMMAND AREA DEVELOPMENT (ARB) DEPARTMENT

G.O Ms. No. 114

Dated the 30th October,2010.
Read:--

From the C.E. Lr. No. CE/NSP/CO/GNT/OT.2/AE.1/2228/91, dated:
06.05.2010 & 12.10.2010.

ORDER:

The Chief Engineer, Nagarjuna Sagar Project, Guntur in his letter read above has stated that the work relating to "balance earth work in Execution of Main Canal from M.97-1-000 to M.97-2-2000" was entrusted to Sri D.Satyanarayana, Contractor, but he has not completed the work within the contract period. The time was extended twice. But, without completed the work, the Contractor has filed O.P.No.2/91 in the Sub Court, Markapur for appointment of Sole Arbitrator. The panel of Arbitrators passed the Award on 15-04-1996. The contractor has filed O.S.73/1996 in the Sub-Court, Markapur to make the award as rule of court. The Civil Court has decreed the suit by making the award as rule of court. According to which the contractor is entitled to the amount as per the award passed by the panel of arbitrator dated 15-4-1996 with future interest at 12% P.A. from the date of the suit till the date of realization. The department while challenging the above orders, has filed CRP No:1498/2003 in the Hon`ble High court of A.P., Hyderabad, and the Court in its orders dated 13-8-2009 partly allowed the revision, reducing the rate of interest to 6% P.A. from 12% P.A.

2. The Chief Engineer, Nagarjuna Sagar Project in the references read above has submitted the decretal proposals for an amount of Rs.1,84,888/- as per the High Court Orders dated: 13.08.2009 and requested the Government to issue necessary sanction orders.

3. Government after careful examination of the matter, hereby accord sanction for an amount of Rs.1,84,888/- (Rupees one lakh eighty four thousand eight hundred and eighty eight only) towards depositing of decretal charges in the respective Court to the credit of O.S No.73/96, dated: 7.3.2001 as per the judgement of Hon`ble High Court, dated: 13.08.2009 in CRP No.1498/2003 in respect of the work relating to "balance earth work in Execution of Main Canal from M.97-1-000 to M.97-2-2000" carried out by Sri D.Satyanarayana, Contractor vide Agt. No.13SE/86.87, dated: 25.03.1987.

P.T.O.

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4 The amount sanctioned in para (3) above shall be debitable to the following detailed Head of Account:-

"MH. 2701 – Major & Medium Irrigation; 01 – Major Irrigation (Commercial); 101 – N.S.Project; GH – 11 – Normal State Plan; SH. 27 – Canals & Distributaries; 530 – Major Works; 531 – Other Expenditure".

5. The Chief Engineer, N.S Projects, Camp Office, Guntur is directed to deposit the above sanctioned decretal amount in the respective Court and to avoid auction of the attachment of Government Property in E. P. No 301/2002..

6. This order issues with the concurrence of Finance (W&P) Department vide their U.O No.4635/F2(1)/10-1, dated: 27.09.2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. TUCKER
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Chief Engineer, Nagarjuna Sagar Project, Guntur.

The Accountant General, A.P., Hyderabad.

The Director of Works Accounts, A.P., Hyderabad.

The District Treasury Officer, Ongole.

The Pay and Accounts Officer, Ongole.

The Superintending Engineer, Irrigation Circle, Ongole.

Copy to:

P.S. to M(M& MI).

P.S. to Prl. Secretary to Govt.

The Finance (PW) Department with a request to release the LOC for the above sanctioned amount.

The I&CAD (P&B) Department.

he Government Pleader for Arbitration, High Court of A.P.,
Hyderabad.

SF/SCs

//FORWARDED :: BY ORDER//

SECTION OFFICER